

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking Concerning
Energy Efficiency Rolling Portfolios, Policies,
Programs, Evaluation, and Related Issues.

Rulemaking 13-11-005
(Filed November 14, 2013)

**RESPONSE OF SOUTHERN CALIFORNIA GAS COMPANY (U 904 G) TO THE
MOTION OF THE PUBLIC ADVOCATES OFFICE FOR AN ORDER TO SHOW
CAUSE WHY SOUTHERN CALIFORNIA GAS COMPANY SHOULD NOT BE
SANCTIONED FOR VIOLATING A COMMISSION ORDER AND RULE 1.1 OF THE
COMMISSION'S RULES OF PRACTICE AND PROCEDURE**

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Pursuant to Rule 11.1 of the Rules of Practice and Procedure of the California Public Utilities Commission (“Commission”), Southern California Gas Company (“SoCalGas”) respectfully submits its Response to the Motion of the Public Advocates Office (“Cal Advocates”) for an order to show cause why SoCalGas should not be sanctioned for violating a Commission Order and Rule 1.1 of the Commission’s Rules of Practice and Procedure in the above-captioned proceeding.

I. INTRODUCTION

SoCalGas appreciates the role Cal Advocates plays in monitoring utilities’ compliance with Commission rules and directives. But with its Motion, Cal Advocates makes several negative inferences to claim SoCalGas has violated Commission rules and orders. However, several facts are necessary to properly evaluate Cal Advocates’ allegations and to maintain perspective in this matter. First, SoCalGas and its consultant have not engaged in any advocacy under the statewide Energy Efficiency (“EE”) Codes & Standards programs (federal or statewide) since July 10, 2018. This was just over a month after the June 5, 2018 issuance of the EE Business Plan Application Decision (“D”). 18-05-041 (“the Decision”) which limited SoCalGas’ conduct in statewide EE Codes & Standards Advocacy. Second, even Cal Advocates acknowledges that SoCalGas was likely permitted to engage in certain transitional activities as it came into compliance with the Decision: “The Public Advocates Office recognizes that such

transitional activities may be reasonable. Any such activities should be de minimis.”¹ It would be severe to punish SoCalGas for its limited conduct here, which occurred over a short, discrete period of time and amounts to a relatively small amount of costs (the majority of which were costs incurred by a consultant). Third, when Cal Advocates checked SoCalGas’ data request responses against those provided by Pacific Gas and Electric Company (“PG&E”) (and presumably others), the discrepancies it highlights amount to a text message exchange concerning SoCalGas’ disengagement from C&S advocacy, a less than five-minute phone call between a SoCalGas attorney and a PG&E attorney where SoCalGas explained it would not join in comments, and an allegedly brief call between a SoCalGas director and a PG&E director of which SoCalGas had no record of. Finally, SoCalGas welcomed Cal Advocates’ suggestion in the Motion to review its Demand Side Management Balancing Account (“DSMBA”) to ensure costs were properly allocated. The review revealed some additional consultant activity beyond what SoCalGas had included in its data request responses. This activity was still all taken during the short transition period following the Decision.

The sum of these facts is that SoCalGas acted in good faith following the Decision to transition out of the statewide Codes & Standards advocacy activities and completed that transition. Although SoCalGas does not believe it engaged in misconduct, in an abundance of caution and as a showing of good faith, SoCalGas will nevertheless transfer the entire amount charged to EE balancing accounts for statewide EE Codes & Standards Advocacy during the period in question to shareholder funds. The sanctions requested by Cal Advocates are unwarranted here in light of these facts and commitments.

II. OVERVIEW OF ARGUMENT

Cal Advocates’ Motion alleges that SoCalGas disobeyed the Commission’s order in D. 18-05-041 to cease its involvement in ratepayer funded codes and standards (“C&S”) advocacy and failed to provide truthful and accurate responses to data requests from Cal Advocates.² Specifically, Cal Advocates alleges violations of Rule 1.1 of the Commission’s Rules of Practice and Procedure based on SoCalGas’ responses to data requests from Cal

¹ Cal Advocates’ Motion, p. 3, n. 8 (referring to communications with LADWP regarding transitioning to a new statewide lead).

² *Id.* at p. 1.

Advocates.³ Cal Advocates also alleges that SoCalGas violated Public Utilities Code Sections 702 and 2107 by not complying with D. 18-05-041,⁴ a decision which prohibits SoCalGas from participating in any EE “statewide codes and standards advocacy” until 2025.⁵

SoCalGas disagrees with Cal Advocates’ characterizations, including its allegations that SoCalGas ignored a Commission order and has been intentionally misleading in data request responses. SoCalGas and its consultant have not engaged in any EE codes and standards advocacy under the statewide programs (including federal) since July 10, 2018. SoCalGas believes its interpretation of C&S “statewide advocacy” to exclude federal activity was reasonable under the circumstances given ambiguity in D.18-05-041’s language.

Contrary to Cal Advocates’ depiction that SoCalGas “minimized the extent of wrongdoing,”⁶ SoCalGas’ actions were not the result of any bad faith, intent to mislead, or deception. All activities at issue occurred within the first 40 days after the decision date (May 31, 2018). During this time, SoCalGas was determining what activities were covered by D.18-05-041, communicating with its employees on what activities were affected by the decision, and wrapping up and transitioning off projects that had started prior to the issuance of the decision. By July 11, 2018, SoCalGas was no longer using any EE funds for codes and standards statewide or federal advocacy. This does not amount to “numerous repeated violations” or “a continuing course of conduct over a period of time” as stated in Cal Advocates’ Motion.⁷

³ *Id.* at p. 16. The data request responses at issue are: SoCalGas Response to Public Advocates Office Data Request ORA-HB-SCG-2018-09, dated July 16, 2018 (“SoCalGas’ July 16, 2018 Responses”); SoCalGas Response to Public Advocates Office Data Request ORA-EF-SCG-2018-01, dated August 2, 2018 (“SoCalGas August 2, 2018 Responses”); SoCalGas Response to Public Advocates Office Data Request HB-SCG02018-13, dated January 7, 2019 (“SoCalGas’ January 7, 2019 Responses”); SoCalGas Response to Public Advocates Office Data Request Cal Advocates-HB-SCG-2019-01 Q1-Q5, dated January 30, 2019 (“SoCalGas’ January 30, 2019 Responses”); and SoCalGas Response to Public Advocates Office Data Request CalAdvocates-HB-SCG-2018-03-Q1-Q5, dated April 1, 2019 (“SoCalGas April 1, 2019 Responses”). The responses are attached to Cal Advocates Motion as Appendices A, C, D, E, and F.

⁴ Cal Advocates’ Motion, p. 23.

⁵ D. 18-05-041, pp. 144 and 193.

⁶ Cal Advocates’ Motion, p. 22.

⁷ *See id.* at p. 23.

Further, SoCalGas' data request responses were not deceptive, nor do they exhibit a "pattern of misleading responses."⁸ Rather, the responses intended to be fully transparent about SoCalGas' interpretation of the decision at the time: namely that federal codes and standards advocacy was not included in the decision's prohibition on SoCalGas using ratepayer funds for EE statewide codes and standards advocacy and thus were not included in the scope of costs at issue. In the immediate months after the decision, SoCalGas reevaluated that interpretation after a discussion with Commission staff and, in an abundance of caution, stopped engaging in any federal codes and standards advocacy activity. This change in interpretation was made relatively quickly after the decision and was evident in subsequent data request responses to Cal Advocates.⁹

Cal Advocates requests that SoCalGas be ordered to conduct a full review of all entries in the its Demand Side Management Balancing Account ("DSMBA")¹⁰ that could potentially be at issue. SoCalGas has done that on its own, commencing a full review of all entries that could potentially be related to codes and standards advocacy from June 1, 2018 to the present. In order to remove doubt as to SoCalGas' intent to be fully transparent and comply with D.18-05-041, for any activities that occurred between May 31, 2018, the date of the Commission's decision in D.18-05-041, and July 10, 2018 (40 days) under Cal Advocates' broader definition of "advocacy" (i.e., both statewide and federal C&S advocacy), SoCalGas will be allocating all associated costs, which it believes will be a relatively small amount that could potentially be at issue, to shareholder funds.¹¹ SoCalGas is in the process of validating those costs. SoCalGas also acknowledges an accounting system error related to that account (discussed more fully below) and is working to rectify the issue.

⁸ *Id.*

⁹ Cal Advocates' Motion, Appendix D (SoCalGas January 7, 2019 Responses)); Cal Advocates' Motion, Appendix E (SoCalGas January 30, 2018 Responses).

¹⁰ Cal Advocates' Motion, pp. 15-16.

¹¹ SoCalGas believes it has identified all activities between June 1, 2018 and July 10, 2018 related to federal or statewide codes and standards advocacy. SoCalGas is still working to identify the costs associated with those activities and to reconcile those costs with its DSMBA, given an accounting system error it has identified. Although SoCalGas does not yet know the exact amount of costs associated with these activities it believes them to be relatively minimal and will be allocating the full amount to shareholder funds.

III. THE ACTIVITIES AT ISSUE WERE EITHER RELATED TO FEDERAL CODES AND STANDARDS ADVOCACY, PURELY TRANSITIONAL IN NATURE, OR A CONTINUATION OF ONGOING ACTIVITIES

SoCalGas has communicated to other parties, including the other Investor Owned Utilities (“IOUs”), that it can no longer participate in statewide or federal EE codes and standards advocacy activity. Further, statewide codes and standards issues have been separated out from EE meetings involving the IOUs and SoCalGas is not invited to the separate meetings held on EE statewide codes and standards advocacy. This action, as well as SoCalGas’ decision to no longer participate in any federal codes and standards advocacy, shows that SoCalGas took reasonable steps to secure compliance by its employees. Yet some of the compliance steps that SoCalGas took are unfairly depicted by Cal Advocates as evidence of wrongdoing. As discussed more fully below, Cal Advocates insinuates in its Motion that a text message between a SoCalGas employee and a PG&E employee, as well as a communication between a SoCalGas attorney and a PG&E attorney were examples of SoCalGas continuing to violate the decision by “advocating”, when in reality both communications were examples of SoCalGas confirming that it was disengaging from C&S advocacy activity.

Cal Advocates’ Motion has identified \$6,059 in costs related to EE codes and standards advocacy activity that correspond to activity done between June 1, 2018 and June 29, 2018.¹² As stated above, SoCalGas will reallocate all of these costs to be funded by shareholder funds. However, SoCalGas does not believe that it engaged in misconduct during the period in question. During the 40 days after the decision, SoCalGas was in a transition phase and working to understand and implement the decision. The activities in question and the associated costs fall within three categories: (1) activities related to *federal* C&S advocacy which SoCalGas believed not covered by D.18-05-041’s prohibition on statewide C&S activity, (2) statewide C&S activities that were purely transitional in nature (i.e., transitioning away from these activities and disengaging); and (3) a continuation and wrapping up of ongoing statewide C&S activities to a logical end date. SoCalGas will discuss each of these categories more fully below.¹³

¹² *Id.* at p. 4.

¹³ SoCalGas has attached a detailed chart identifying the activities at issue, the date of the activity, a description of the activity, and clarifying notes as Appendix A to this Response.

A. SoCalGas Reasonably Interpreted Decision 18-05-041 as Ambiguous on Whether It Covers Federal C&S Advocacy but Nonetheless Will Reallocate Associated Costs to Shareholder Funds

Cal Advocates devotes much of its motion to SoCalGas' participation in minimal federal codes and standards advocacy and appears to primarily base its sanctions request on these activities and SoCalGas' responses to data requests concerning these activities. SoCalGas engaged in minimal federal activities based on its reasonable interpretation of the decision, provided clear responses to Cal Advocates data requests, and has acted reasonably and in good faith.

D.18-05-041 approved the energy efficiency business plans of eight program administrators, including SoCalGas.¹⁴ As part of the final comment process on the EE Business Plan applications, Cal Advocates, for the first time, brought forth allegations that SoCalGas had engaged in misconduct in opposing the Federal Department of Energy's ("DOE") proposed new efficiency standards,¹⁵ an allegation that SoCalGas refuted.¹⁶ In issuing D.18-05-041, the Commission did not decide whether or not Cal Advocates' allegations of misconduct against SoCalGas were valid. Specifically, the decision stated:

We see no reason to now consider what constitutes a reasonable basis for taking a position other than in support of more stringent standards, given our intent for such activities has been clear since we first authorized energy efficiency funding for those activities As the scope of this proceeding is limited to consideration of the 2018-2025 business plans, ORA's request for sanctions for alleged past misconduct is ill-placed.¹⁷

The Commission nevertheless prohibited SoCalGas from participating in "statewide" codes and standards advocacy activities for the length of the business plan period. The Commission stated:

[T]here is a *potential* for SoCalGas to misuse ratepayer funds authorized for codes and standards advocacy, such that we find it reasonable to limit SoCalGas's involvement in codes and standards advocacy as ORA recommends. SoCalGas shall have no role in *statewide* codes and standards advocacy other than to transfer

¹⁴ D. 18-05-041, p. 2.

¹⁵ ORA's Final Comments on EE Business Plan Applications (September 25, 2017).

¹⁶ SoCalGas Final Reply Comments (October 13, 2017); SoCalGas Motion to Strike Portions of ORA's Final Comments (October 13, 2017).

¹⁷ D. 18-05-041, p. 144.

funds to the statewide codes and standards lead for program implementation.¹⁸

All of the IOUs' Business Plans, which were approved by the Commission in the same decision, proposed to establish a federal-level EE codes and standards subprogram that would be *administered locally rather than statewide*.¹⁹ Specifically, SoCalGas' Business Plan provides: "In the near-term, the statewide Building Code & State Appliance Standards subprograms will be separated from the National (and possibly International) Standards subprogram and activities will remain local."²⁰ The Commission approved the IOUs Business Plans in D.18-05-041 and, although it did not specifically address how to treat federal advocacy activities (whether local or statewide), the decision did provide that: "In general in this decision, we discuss issues where parties or the Commission take issue with the proposal presented in the business plan applications. If an item is not discussed or otherwise decided in this decision, the [Program Administrators] should consider that aspect of the business plans approved."²¹

During the transition period following the decision, SoCalGas thus interpreted D.18-05-041's prohibition of SoCalGas engaging in statewide codes and standards advocacy as not necessarily including federal codes and standards advocacy.²² The language in the decision used the language "statewide codes and standards advocacy"²³ which did not seem to include advocacy related to federal codes and standards. SoCalGas did, however, recognize that there was some ambiguity on this point; however, the decision did not determine whether Cal Advocates' allegations amounted to any misconduct by SoCalGas.²⁴

¹⁸ *Id.* at p. 144 (emphasis added); *see also id.* at p. 193.

¹⁹ SoCalGas Business Plan, p. 298; PG&E Business Plan, p. 548; Southern California Edison Business Plan, p. 224.

²⁰ SoCalGas Business Plan, p. 298.

²¹ D. 18-05-041, p. 12. This interpretation was communicated to Cal Advocates' in SoCalGas' July 16, 2018 Responses. (Cal Advocates' Motion, Appendix A [SoCalGas July 16, 2018 Responses, p. 1.]) In a footnote in its Motion, Cal Advocates, acknowledges that it was aware of the basis for SoCalGas' interpretation, but seems to suggest that D. 18-05-041 did not approve this aspect of the IOUs Business Plans. (Cal Advocates' Motion, pp. 8-9, n. 46.) Notably, the only part of the decision that Cal Advocates' cites to for this argument is page 2 of D. 18-05-041, which notes that it approved the business plans "except as modified." As discussed, the decision did not explicitly address the IOUs proposal to locally administer the federal EE codes and standards advocacy activities.

²² Notably, in a PG&E internal email chain that was provided to Cal Advocates in response to data requests, PG&E also expressed uncertainty over whether federal advocacy activity was to be administered locally or statewide. (SoCalGas Appendix B [June 6, 2018 PG&E email re "Issues/Uncertainties"]).

²³ D. 18-05-041, p. 144.

²⁴ *Id.*

In the first couple months following the decision, SoCalGas revisited its interpretation of the scope of the decision given this ambiguity as to the treatment of federal codes and standards advocacy. In a July 31, 2018 meeting, representatives of Energy Division (“ED”) and representatives of SoCalGas discussed the issue of whether federal advocacy was included in the decision. The ED representatives recognized that it may be unclear whether the intent of D.18-05-041 was to include federal codes and standards advocacy in its prohibition of SoCalGas participating in statewide codes and standards advocacy, but recommended that SoCalGas take a cautious approach. Shortly after this meeting, SoCalGas decided that, although it still believed the Decision to be unclear on this point, in an abundance of caution it would take a conservative approach and no longer engage in federal EE codes and standards advocacy. Notably, although this determination on the interpretation of the Decision was made shortly after the July 31, 2018 meeting, SoCalGas had not participated in any statewide *or federal* codes and standards advocacy since July 10, 2018.

On June 29, 2018, Cal Advocates’ served a set of data requests on SoCalGas seeking information on SoCalGas’ “energy efficiency codes and standards advocacy” since the May 31, 2018 decision.²⁵ SoCalGas’ July 16, 2018 Responses included a preliminary statement that read:

For the purposes of these responses, SoCalGas understands the phrase “energy efficiency codes and standards advocacy” to mean conduct directly concerning energy efficiency codes & standards advocacy, as delineated in Decision 18-05-041. The activities therefore do not include activities for local programs, such as compliance, reach codes, and engagement with the Department of Energy (“DOE”). See Decision (D.) 18-05-041 at 12, 91; SoCalGas Business Plan at 298, PG&E Business Plan at 548, Southern California Edison Business Plan at 224.²⁶

Thus, it was abundantly clear and transparent that SoCalGas was not including any federal advocacy activity or associated costs in its data request responses based on its interpretation of

²⁵ Cal Advocates Motion, Appendix A (Cal Advocates’ Data Request ORA-HB-SCG-2018-09 June 29, 2018).

²⁶ Cal Advocates’ Motion, Appendix A (SoCalGas July 16, 2018 Responses, p. 1).

the scope of D.18-05-041's prohibition of SoCalGas' participation in statewide codes and standards advocacy.²⁷

On December 28, 2018, Cal Advocates served additional data requests on SoCalGas seeking information on SoCalGas' "energy efficiency codes and standards advocacy" since the decision.²⁸ SoCalGas' January 7, 2019 Responses included a preliminary statement objecting to the phrase "energy efficiency codes and standards advocacy" and noting that Cal Advocates' definition of the term appeared to be beyond "'statewide energy efficiency codes & standards advocacy' as delineated" in D.18-05-041.²⁹ Importantly, SoCalGas noted in the same preliminary statement, "[h]owever, in the interest of responding in good faith, SoCalGas endeavored to provide responses consistent with the [Cal Advocates'] definition provided."³⁰ Here, SoCalGas thus noted that although it still believed that federal advocacy activity might be outside the scope of the decision given the decision's ambiguity on the issue, it was nevertheless including in its responses federal advocacy activity and associated costs. SoCalGas did just that, including federal advocacy activity and costs where called for by Cal Advocates' requests.³¹ Further, in its January 30, 2019 Responses to a set of follow-up requests from Cal Advocates related to codes and standards advocacy, SoCalGas adopted Cal Advocates' definition of energy efficiency codes and standards advocacy in the spirit of cooperation.³²

Thus, despite what Cal Advocates' Motion implies, this *was not* a situation where SoCalGas hid what it was doing or was misleading in what information it was providing. Instead, SoCalGas was upfront about its initial interpretation of the decision and each set of data request responses was clear on what it was providing. Further, it is *only* SoCalGas' July 16, 2018 Responses that are affected by SoCalGas' interpretation at the time of the responses that federal advocacy was not within the scope of prohibited activity in D.18-05-041. The July 16, 2018 Responses were served during the transition period when SoCalGas was still determining

²⁷ Cal Advocates claims that SoCalGas made a "misleading and inaccurate disclaimer" that advocacy within the federal program of EE Codes & Standards was not prohibited. (Cal Advocates' Motion, p. 8.) Far from being "misleading," the explanation was to communicate to Cal Advocates what SoCalGas believed was prohibited from the Decision.

²⁸ Cal Advocates' Motion, Appendix D (Cal Advocates' Data Request CalAdvocates-HB-SCG-2018-13).

²⁹ Cal Advocates' Motion, Appendix D (SoCalGas January 7, 2019 Responses, p. 1).

³⁰ *Id.* (emphasis added)

³¹ *See, e.g., id.* at 1 and corresponding attachment.

³² Cal Advocates' Motion, Appendix E (SoCalGas' January 30, 2019 Responses, p. 1).

the scope of the decision and what activities were affected. It was also before the July 31, 2018 SoCalGas meeting with ED.

All activities related to federal EE codes and standard advocacy occurred before July 11, 2018. As a showing of good faith and to demonstrate intent to comply with the decision, any amounts associated with these activities will be allocated to shareholder funds.

B. Several Statewide C&S Activities Identified by Cal Advocates’ Were To Transition Away and Disengage from Advocacy in Compliance with D.18-05-041

As Cal Advocates itself recognizes, certain transitional activities were appropriate and necessary after the issuance of the decision: “The Public Advocates Office recognizes that [] transitional activities may be reasonable. Any such activities should be de minimis.”³³ At the time of the decision, SoCalGas was engaged in several ongoing projects related to statewide C&S advocacy, many of them in coordination with the other IOUs. An example of transition activity includes discussions on June 1, 2018 and June 8, 2018 between SoCalGas and the Los Angeles Department of Water and Power (“LADWP”). On both occasions, SoCalGas communicated to LADWP that it would no longer be involved in statewide lighting codes and standards and that PG&E would be taking over as the statewide lead. Another example is a June 8, 2018 email from a SoCalGas employee stating that SoCalGas was declining the opportunity to be a part of the team scoring bidders on an RFP associated with Title 24.³⁴

C. SoCalGas Engaged in Wrap-Up Statewide C&S Activities After the Decision

As stated above, before the decision, SoCalGas was involved in several ongoing projects related to statewide EE C&S advocacy. During the transition period after the decision, SoCalGas continued to engage in some of this activity for a short period of time.³⁵ SoCalGas continued to work on these projects in an attempt to bring them to a logical conclusion. SoCalGas did not engage in substantive work on new projects, such as drafting comments on new potential standards. During the transition period, SoCalGas also attended informational meetings relating to codes and standards, but SoCalGas’ presence did not amount to “advocacy”. An example of this includes SoCalGas being on an informational conference call concerning

³³ Cal Advocates’ Motion, p. 3, n. 8.

³⁴ SoCalGas Appendix B (June 8, 2018 SoCalGas email re “Review of bidders on multifamily RFP”).

³⁵ These activities were either performed by SoCalGas or by a consultant hired by SoCalGas.

implementation of California's Title 24 standards.³⁶ These continuing activities were minimal, are detailed in SoCalGas' Appendix A, and were taken during a time when SoCalGas was still assessing the full implications of the decision and what activities were affected. Nevertheless, SoCalGas will allocate to shareholder funds any amount associated with these activities.

IV. SoCalGas Identified New Information Upon Reviewing its DSMBA

SoCalGas is proactively undertaking Cal Advocates' suggestion in the Motion that "The Commission should direct SoCalGas to demonstrate that each entry in SoCalGas's Demand Side Management Balancing Account (DSMBA) since June 1, 2018 (including allocated overhead) complies with the Commission's directive...."³⁷ The review of its DSMBA has revealed minimal activity taken between June 29, 2018 and July 10, 2018 that was unintentionally omitted from SoCalGas' responses to Cal Advocates' data requests. Specifically, SoCalGas discovered an additional invoice from a consultant that corresponded to activity in this time period. The last activity that SoCalGas has identified as being related to either EE federal or statewide codes and standards advocacy since the decision occurred on July 10, 2018. The consultant in question no longer monitors any of the various dockets for SoCalGas and SoCalGas has not received or paid any further invoices from the consultant related to any EE federal or statewide codes and standards advocacy. In addition to this July activity by its consultant, SoCalGas also identified as part of its DSMBA review, about \$1,000 more in consultant activities than was estimated in the prior data request responses.

Pursuant to this broader scope of activities, SoCalGas has recently identified minor corrections that need to be made to some of its responses to Cal Advocates' data requests and will be amending those responses once SoCalGas has completed and validated its review of the activities and associated costs in SoCalGas' DSMBA. As a showing of good faith, SoCalGas will be allocating the total amount associated with all identified EE federal or statewide codes and standards advocacy activities to shareholder accounts and nothing related to federal or statewide codes and standards advocacy will be charged to EE.

In reviewing its DSMBA, SoCalGas also discovered an accounting system error which it is in the process of correcting. In summary, there was an issue where the SoCalGas employee

³⁶ Cal Advocates' Motion, Appendix A (SoCalGas July 16, 2018 Responses, p. 6, Response 6).

³⁷ Cal Advocates' Motion, pp. 15-16.

who was working on C&S advocacy had part of his time for June and July assigned to billing codes corresponding to C&S advocacy program as a default percentage of his time which did not reflect his actual C&S related activity for June and July. The charge in DSMBA therefore exceeded what should have been charged, which was more properly reflected in SoCalGas' data request responses.³⁸ SoCalGas is working to correct this error so that these labor costs are no longer reflected in the DSMBA. SoCalGas wanted to be transparent about these amounts and to address why they do not correspond to actual codes and standards advocacy activity.

SoCalGas is happy to share with the Commission, and Cal Advocates, any information requested to show it has been and is continuing to comply with D.18-05-041.

IV. CAL ADVOCATES MISCHARACTERIZES SOCALGAS' RESPONSES TO DATA REQUESTS

Separate from these broader issues, SoCalGas seeks to clarify some of Cal Advocates' statements regarding SoCalGas' responses to data requests.

A. The Three Communications "SoCalGas Did Not Disclose" Actually Demonstrate the Veracity of SoCalGas' Responses

Cal Advocates highlights three specific communications that SoCalGas did not provide information on in its July 16, 2018 Responses.³⁹ However, these communications amount to a text message exchange concerning SoCalGas' disengagement from C&S advocacy, a purported five minute conversation SoCalGas has no recollection of, and a less than five minute conversation between a PG&E and SoCalGas attorney where SoCalGas indicated it would not be involved in C&S advocacy. Rather than substantiating any wrongdoing, Cal Advocates' check of SoCalGas' data request responses against other utilities shows that SoCalGas was forthright in its responses and demonstrates an intent to comply with the decision.

The Cal Advocates' data request at issue provides: "Please provide any written or electronic correspondence with other investor-owned utilities in California regarding EECS advocacy that was sent or received on or after June 1, 2018."⁴⁰ Cal Advocates takes issue with

³⁸ This accounting correction is already netted in the amount now determined to be potentially at issue under the broader scope of activities.

³⁹ Cal Advocates' Motion, pp. 11-12.

⁴⁰ Cal Advocates' Motion, Appendix A (Cal Advocates' Data Request ORA-HB-SCG-2018-09 June 29, 2018, p. 5, Question 15).

the fact that SoCalGas did not disclose the below communications that were provided in response to a similar request to PG&E.

The first is a June 5, 2018 text message exchange between the SoCalGas Customer Program Regulatory Policy and Reporting Manager and a PG&E employee.⁴¹ In a data request response to what appears to be a follow-up request by Cal Advocates to PG&E concerning this text message, PG&E responded that: “The text message exchange between [PG&E employee] and [SoCalGas employee] clarified that PG&E would continue to administer the C&S program and confirmed that SoCalGas was disengaging from advocacy.”⁴² It should not be surprising that text messages which likely took seconds to send would be easy to forget when responding to a data request – especially where the text exchange was apparently just confirming that SoCalGas would be disengaging from C&S advocacy. This would be a legitimate transition activity and demonstrates compliance with D.18-05-041.

Second on Cal Advocates’ list is a brief conversation between a SoCalGas attorney and a PG&E attorney on June 22, 2018 regarding the DOE comment letter on cooktop test procedures.⁴³ A broad reading of the Cal Advocates data request is required to find that this exchange was even called for by the request. But even if it was, the conversation was related to a DOE comment letter and thus would not have been disclosed in SoCalGas’ July 16, 2018 Responses as, at that time and as explicitly stated in its preliminary statement to those responses, SoCalGas was interpreting the decision as not including activities related to federal C&S advocacy. During this conversation SoCalGas’ attorney was confirming that SoCalGas would not be signing onto the DOE letter in question.⁴⁴ If SoCalGas indicating that it would not be involved in Codes & Standards advocacy amounts to Codes & Standards advocacy, complying with the Decision would also be violating it. This is both a legitimate transition activity, and demonstrates compliance with D.18-05-041.

⁴¹ Cal Advocate’s Motion, p. 11.

⁴² SoCalGas’ Appendix B [PG&E Response to Cal Advocates Data Request No. ORA-HB-PGE-2018-014/PG&E No. ORA_27 (Follow-up-01), Response 1]. Cal Advocates did not provide this follow up response in any of the Appendices to its Motion. SoCalGas has included it in Appendix B to its Response.

⁴³ Cal Advocates’ Motion, p. 11.

⁴⁴ Cal Advocates’ Motion, Appendix D (SoCalGas January 7, 2019 Responses, Attachment “SoCalGas employees’ participation in meetings and associated costs”).

Last in Cal Advocates' list of communications not disclosed in SoCalGas' July 16, 2018 Responses, is a purported phone conversation between a SoCalGas Director and a PG&E Director on June 28, 2018 regarding SoCalGas' role in EE C&S activity. PG&E's response to Cal Advocates' requests provides that it was a five-minute phone call to "discuss PG&E's and SCG's roles for C&S."⁴⁵ Although SoCalGas does not contest that a phone call may have occurred, it simply had (and continues to have) no evidence that it did. The meeting was not on the calendar of SoCalGas' Director, SoCalGas has no associated emails confirming the call, and the SoCalGas Director has no recollection of this particular call. All of this was explained to Cal Advocates in SoCalGas' data request response.⁴⁶ Indeed, SoCalGas responded that "Without any reference material, substantive details, parties, or context, SoCalGas does not recall this particular phone call. SoCalGas is open to discussing a further response to this request if additional information is provided."⁴⁷ Cal Advocates never provided additional information to SoCalGas for this request.

Cal Advocates highlights these three examples as evidence that SoCalGas' data request responses were "incomplete and deceptive" and an attempt to "mislead the Public Advocates Office about the extent and nature of its prohibited EE codes and standards advocacy activities."⁴⁸ However, the three examples provided by Cal Advocates are of de minimis activity and demonstrate SoCalGas was *transitioning off* of activity related to Codes & Standards advocacy. SoCalGas would have no reason to hide these communications from Cal Advocates, especially since they are evidence of compliance with the Decision.

⁴⁵ SoCalGas' Appendix B [PG&E Response to Cal Advocates Data Request No. ORA-HB-PGE-2018-014/PG&E No. ORA_27 and Cal Advocates Data Request No. ORA-HB-PGE-2018-014/PG&E No. ORA_27 (Follow-up-01)] Cal Advocates did not provide this follow up response in its Appendices. SoCalGas has included it as Appendix B to its Response.

⁴⁶ Cal Advocates' Motion, Appendix D (SoCalGas January 7, 2019 Responses, Attachment "SoCalGas employees participation in meetings and associated costs" [("Without any reference material, substantive details, parties, or context, SoCalGas does not recall this particular phone call. SoCalGas is open to discussing a further response to this request if additional information is provided.")]).

⁴⁷ *Id.*

⁴⁸ Cal Advocates' Motion, p. 11.

B. Cal Advocates' Allegation that SoCalGas Did Not Disclose all Employees that Participated in EE Codes and Standards Advocacy Includes Examples of Employee Activity That Was De Minimis or Nonexistent

Cal Advocates alleges that although SoCalGas' July 16, 2018 Responses only indicate that one employee was involved with C&S advocacy activities after the decision, there is evidence that there were "at least five, and probably nine or more, employees participat[ing] in such activities."⁴⁹ However, three of these four (or more) claimed additional employees are those whose communications were discussed in the immediately preceding section, whose alleged conduct was minute and undertaken to comply with the Decision. The data requests in question asked, "How many SoCalGas employees have been involved in EECS advocacy activities" after the decision?⁵⁰ Cal Advocates appears to be relying on a broad interpretation of its data requests. Based on the examples provided by Cal Advocates of individuals who should also have been included in SoCalGas' response, Cal Advocates appears to take the position that all activity, no matter how nominally related to C&S *advocacy* was included in the meaning of "involved in EECS advocacy activities."

For instance, Cal Advocates names SoCalGas' attorney as an example of an employee who would fall under this request based solely on his communication to a PG&E attorney that SoCalGas would not be signing on to a DOE letter.⁵¹ As discussed above, this was a purely transitional activity. Further, it involved one phone call and a follow up two sentence email and took less than five minutes of time. It also would not have been funded through an EE balancing account. Lastly, this communication was related to a DOE letter so would not have been included in SoCalGas' July 16, 2018 Responses, which SoCalGas explained.

Cal Advocates also identifies SoCalGas' Programs Operations Manager as an employee who should have been identified as having been involved in C&S advocacy after the decision. Cal Advocates bases this conclusion on SoCalGas' identification of its Programs Operations Manager as the one who decided whether SoCalGas should sign or not sign the comment letters to DOE on dishwashers and cooktops while also asserting that this same person spent zero time on either document.⁵² However, the explanation for this apparent discrepancy is that the two

⁴⁹ *Id.* at p. 14.

⁵⁰ Cal Advocates' Motion, Appendix A (SoCalGas July 16, 2018 Responses, Questions 3 and 4).

⁵¹ Cal Advocates' Motion, p. 12.

⁵² Cal Advocates' Motion, Appendix D (SoCalGas January 7, 2019 Responses, Questions 13-15).

letters in question were ongoing projects that had begun well before the May 31, 2018 decision. SoCalGas' Programs Operations Manager was already familiar with the contents of the letters, had all the information he needed to make a decision on whether to sign off on the letters, and did not spend any additional time reviewing them after the Decision.

V. CONCLUSION

The basis of Cal Advocates' Motion concerns activities that occurred within the first 40 days of D.18-05-041 and all associated amounts will be allocated to shareholder funds. Since July 11, 2018, SoCalGas has not engaged in any activities related to EE federal or statewide codes and standards advocacy. SoCalGas has acted in good faith, including being up front with Cal Advocates about its initial interpretation that federal activity fell outside of the scope of the decision. SoCalGas will continue to act in good faith by taking any necessary corrective action such as amending its data request responses to Cal Advocates where appropriate. Many of the issues that Cal Advocates has with SoCalGas' data responses are relatively minor and involve differences in interpretations and expectations. Cal Advocates' could have followed up at any time with SoCalGas and request that it provide additional information or explanations. In these circumstances, SoCalGas believes Cal Advocates' sanctions request is inappropriate. SoCalGas is happy to share with the Commission, and Cal Advocates, any information requested to show it has been and is continuing to comply with D.18-05-041.

Respectfully submitted on behalf of SoCalGas,

By: /s/ Holly A. Jones
Holly A. Jones

HOLLY A. JONES

Attorney for
SOUTHERN CALIFORNIA GAS COMPANY
555 West Fifth Street, Suite 1400
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Telephone: (213) 244-2232
Facsimile: (213) 629-9620
E-mail: HAJones@socalgas.com

July 30, 2019

Appendix A

Southern California Gas Company Response to Motion of the Public Advocates Office for an Order to Show Cause Why Southern California Gas Company Should not be Sanctioned for Violating a Commission Order and Rule 1.1 of the Commission's Rules of Practice and Procedure

July 30, 2019

APPENDIX A

Timeline of Activities Pertaining to Energy Efficiency Codes & Standards Program Advocacy

Timeline of activities pertaining to Energy Efficiency Codes & Standards Program Advocacy

Date	Information on Activity Provided in Response to Cal Advocates' Data Request No.	Activity	Purpose of Activity (State, Federal, Transition)	Activity Description
6/1/2018	ORA-HB-SCG-2018-09	Debrief on CEC's position on DPPP (dedicated purpose pool pumps)	Statewide	SoCalGas was on a call with the other IOUs regarding dedicated purpose pool pump standards (an electric standard). SoCalGas did not provide any feedback or comments to the IOUs or otherwise on the standards.
6/1/2018	ORA-HB-SCG-2018-09	LADWP C&S collaboration	Statewide / Transition	SoCalGas communicated with representatives from the Los Angeles Department of Water and Power (LADWP) regarding the contract whereby LADWP pays for statewide lighting codes & standards efforts. It was explained to LADWP that PG&E will lead this particular statewide activity going forward.
6/4/2018	ORA-HB-PGE-2018-14	DOE Dishwasher Collaboration with the CEC meeting	Federal	Statewide IOU conference call identified by PG&E in responses to data requests from Cal Advocates. Discussion regarding requests from CEC on data from field studies regarding run times, how often, and the time of day of operation.
6/7/2018	Attachment D of SoCalGas response to Data Request ORA-HB-SCG-2018-09	Planning for 2019 Overview for IOU Teams meeting	Statewide	SoCalGas was involved in an IOU conference call discussing the implementation of the 2019 Title 24 standards. The IOUs pooled resources from each utility to consider using internally for training (thereby saving potential consultant costs for training and implementation).
6/7/2018	ORA-HB-PGE-2018-14	Title 24 2019 wrap-up and 2022 planning meeting	Statewide	Statewide IOU conference call identified by PG&E in response to data requests from Cal Advocates. SoCalGas initially believed this to be the same meeting as that described immediately above. However, it appears to be a different meeting held on the same day, both concerning Title 24. SoCalGas has no recollection or evidence of this meeting. It was not on SoCalGas' Program Manager's calendar.

Date	Information on Activity Provided in Response to Cal Advocates' Data Request No.	Activity	Purpose of Activity (State, Federal, Transition)	Activity Description
6/7/2018	Attachment D of SoCalGas response to Data Request ORA-HB-SCG-2018-09	Call for Comment Letter on Residential Dishwasher Petition meeting	Federal	Agenda topic for this meeting was to review the one-page review form and potential comments to the DOE. SoCalGas reviewed the letter.
6/8/2018	ORA-HB-SCG-2018-09	Comments to draft Hearth Products CASE report	Statewide	SoCalGas provided comments on a draft Hearth Products CASE report as a follow-up to a previous request.
6/8/2018	ORA-HB-SCG-2018-09	LADWP C&S collaboration	Statewide / Transition	SoCalGas communicated with representatives from the LADWP regarding the contract whereby LADWP pays for statewide lighting codes & standards efforts. It was explained to LADWP that PG&E will lead this particular statewide activity going forward.
6/11/2018	Attachment D of SoCalGas response to Data Request ORA-HB-SCG-2018-09	ASHRAE 90.1 presentation	Statewide	Statewide IOU conference call for consultant presentation to the C&S SW team on ASHRAE Standard 90.1.
6/15/2018	ORA-HB-PGE-2018-14	Text message between Chris Kato and Erin Brooks	Transition	Communication identified by PG&E in its responses to data requests from Cal Advocates. PG&E notes that "The text message exchange between [PG&E employee] and [SoCalGas employee] clarified that PG&E would continue to administer the C&S program and confirmed that SoCalGas was disengaging from advocacy."
6/18/2018	Attachment D of SoCalGas response to Data Request ORA-HB-SCG-2018-09	DOE CAC (Central AC) Waivers meeting	Federal	Statewide IOU conference call on Federal Central AC/HP; Review industry waiver requests & decide whether to comment
6/18/2018	Attachment D of SoCalGas response to Data Request ORA-HB-SCG-2018-09	Proposed comment letter on cook top petition meeting	Federal	Statewide IOU conference call on Federal Cooking Top Test Procedure Petition for Rulemaking Comments, Review proposed comment one pager
6/20/2018	Attachment D of SoCalGas response to Data Request ORA-HB-SCG-2018-09	Portable ACs (Air Conditioners) update meeting	Statewide	SoCalGas was present for, but did not participate in, a conference call with the IOUs regarding electric standards for portable air conditioners.
6/22/2018	ORA-HB-PGE-2018-14	Phone Call between PG&E attorney Tessa Carlberg and SoCalGas Elliott Henry	Transition	Communication between SoCalGas attorney and PG&E attorney to discuss SoCalGas' nonparticipation in C&S.

Date	Information on Activity Provided in Response to Cal Advocates' Data Request No.	Activity	Purpose of Activity (State, Federal, Transition)	Activity Description
6/25/2019	ORA-HB-SCG-2018-09	EVSE Energy Star comment letter PG&E/SoCalGas email - 062518_Electric Vehicle e-mail (Attachment C)	Federal	Email indicating to PG&E's consultant that SoCalGas does not want to be signatory to the comment letter in response to U.S. EPA request for stakeholder input.
6/25/2019	ORA-HB-SCG-2018-09	Cooktop comments PG&E/SoCalGas email - 062518 Cooking prod e-mail (Attachment C)	Federal	Email indicating to PG&E's consultant that SoCalGas does not want to be signatory to the Natural Gas Cooktop comments. SoCalGas originally agreed to sign on to comments on 06/22/2018.
6/26/2018	Attachment D of SoCalGas response to Data Request ORA-HB-SCG-2018-09	IOU Title 20 fans call	Statewide	SoCalGas was present for, but did not participate in, a conference call with the IOUs regarding electric standards for fans.
6/28/2018	ORA-HB-PGE-2018-14	Phone call between PG&E Director David Poster and SoCalGas Director Dan Rendler	Unclear, but likely transition	Communication identified by PG&E in responses to Cal Advocates' data requests. SoCalGas has no recollection or evidence of this communication. However, a PG&E response to a Cal Advocates' data request indicates that it was a five minute phone call to "discuss PG&E's and SCG's roles for C&S."
7/10/2018		SoCalGas told its consultant Negawatt to not attend a IEPR Commissioner Workshop on the 2018 California Energy Demand Forecast Update.	Transition	SoCalGas recently identified this activity as the result of a review of its DSMBA. This is the last activity SoCalGas has identified as being related to EE codes and standards advocacy since D. 18-05-041.

****This chart reflects the federal and statewide EE C&S advocacy related activity that has taken place since May 31, 2018 that SoCalGas has identified to date. SoCalGas will be providing amended responses to the relevant data requests from Cal Advocates.**

*****The charts includes the EE C&S advocacy activities by SoCalGas employees. It does not include consultant work.**

Appendix B

Southern California Gas Company Response to Motion of the Public Advocates Office for an Order to Show Cause Why Southern California Gas Company Should not be Sanctioned for Violating a Commission Order and Rule 1.1 of the Commission's Rules of Practice and Procedure

July 30, 2019

APPENDIX B

June 8, 2018 SoCalGas email re “Review of bidders on multifamily RFP email” Provided in SoCalGas July 16, 2018 Responses

June 6, 2018 PG&E email re “Issues/Uncertainties” Provided in PG&E Response to Cal Advocates Data Request No. ORA-HB-PGE-2018-014/PG&E No. ORA_27, Attachment EnergyEfficiency2015-BeyondRollingPortfolios_DR-027-Q01-Q02Atch01

PG&E Response to Cal Advocates Data Request No. ORA-HB-PGE-2018-014/PG&E No. ORA_27 (Follow-up-01), Response 1

PG&E Response to Cal Advocates Data Request No. ORA-HB-PGE-2018-014/PG&E No. ORA_27 (Follow-up01), Response 1 and 2

Mendoza, Ray J

From: Cunningham, Kelly <KACV@pge.com>
Sent: Friday, June 8, 2018 4:26 PM
To: Mendoza, Ray J
Subject: [EXTERNAL] RE: Review of bidders on multifamily RFP

Thank you for letting me know today!

Kelly

Kelly Cunningham / Codes & Standards / 530-757-5271 (desk) / 530-574-8756 (mobile)

From: Mendoza, Ray J [mailto:RJMendo1@semprautilities.com]
Sent: Friday, June 08, 2018 4:23 PM
To: Cunningham, Kelly
Subject: RE: Review of bidders on multifamily RFP

*******CAUTION:** This email was sent from an EXTERNAL source. Think before clicking links or opening attachments.*****

Hi Kelly,

I will have to respectfully decline the opportunity to serve on the team to score the responses of the RFPs.

Thank you,

Ray Mendoza

Programs Advisor
Southern California Gas Co.
Energy Resource Center / M.L. SCERC1
Phone: 562-803-7493

 Please consider the environment before printing this e-mail.

From: Cunningham, Kelly [mailto:KACV@pge.com]
Sent: Thursday, June 7, 2018 11:59 AM
To: Mendoza, Ray J <RJMendo1@semprautilities.com>
Cc: Eilert, Patrick <PLE2@pge.com>
Subject: [EXTERNAL] Review of bidders on multifamily RFP

Ray,

The proposals are in from the 2022 Multifamily RFP. Can you serve on the team to score the responses? There will be an NDA to sign to participate, per our sourcing lead. Can you let me know if you can participate or whether you would like to pass, having reviewed the RFP itself before?

If you can reply today if possible, I would greatly appreciate it.

If you cannot reply with such short notice, just let me know when you could reply.

I would like to offer a full team list to our sourcing department as soon as possible.

Thank you,
Kelly

Kelly Cunningham / Codes & Standards / 530-757-5271 (desk) / 530-574-8756 (mobile)

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This email originated outside of Sempra Energy. Be cautious of attachments, web links, or requests for information.

From: Craig Tyler
To: [Eilert, Patrick](#)
Cc: [Anderson, Mary](#)
Subject: Re: Issues/Uncertainties
Date: Wednesday, June 06, 2018 2:40:45 PM

*******CAUTION:** This email was sent from an EXTERNAL source. Think before clicking links or opening attachments.*****

This makes it less clear. I think that you need to ask the CPUC about whether or not they meant to include federal within the “advocacy” efforts selected for statewide administration. I suspect that they do not draw a distinction between the federal and State efforts, particularly given what they said about SoCalGas efforts, but you probably need to check.

On Jun 6, 2018, at 2:32 PM, Eilert, Patrick <PLE2@pge.com> wrote:

p.548 of filed business plan
<image001.png>

From: Craig Tyler [<mailto:craigtyler@comcast.net>]
Sent: Wednesday, June 06, 2018 1:55 PM
To: Eilert, Patrick <PLE2@pge.com>
Cc: Anderson, Mary <M3AK@pge.com>
Subject: Re: Issues/Uncertainties

*******CAUTION:** This email was sent from an EXTERNAL source. Think before clicking links or opening attachments.*****

Hi,

My comments are interspersed. I am listening to CAEACC meeting now.

Craig

On Jun 6, 2018, at 1:14 PM, Eilert, Patrick <PLE2@pge.com> wrote:

Craig-
Your thought's please on highlighted items.
Pat

- Level of collaboration (OP-18 and OP-19)
 - We are assuming BAU with SCE and SDGE.
- Statewide funding level (OP-22)
 - Will leadership support proportional funding level that

provides robust support for C&S activities if other IOUs push back increasing their contributions?

- Will policy team provide SW splits?
- Does OP-22 pertain only to State Building Codes and State Appliance Standards?

My reading is that it would apply to both State and federal appliance standards. The decision speaks to advocacy programs. Nowhere is there a mention that federal standards are not included or to be dealt with in a different fashion. To my knowledge (check me on this) none of the IOUs have federal standards advocacy separated out as a standalone business plan sub-program, distinct from appliance standards in general. Hence, federal standards are part and parcel of the overall advocacy efforts that the CPUC is addressing in the decision.

-
-
- At a program level, can we exceed the budgets filed in the BP by more than 20%?

I believe that you can, but the CPUC wants your "portfolio" budget over the cycle to "stay within the budget parameters of the last-approved business plan" (p. 57). That said at a statewide program level you must adhere to:

"... we will require that each IOU PA contribute a budget to each statewide program area that is generally proportional to its load share, at a total level to be determined by the lead IOU for each statewide program area. If at any point an individual PA's contribution is found to deviate by more than **plus or minus 20 percent** from its proportional share, this will constitute an additional trigger for which the PA in question will be required to file a new business plan, justifying why it cannot continue to fund a statewide effort proportionately." (p.83)

-
-
- National Codes and Standards Subprogram with respect to OP-18 and OP-2) (Table 3)
 - D. 18-05-041 does not distinguish between State and Federal appliance standards advocacy, however the Business Plan separates them into two subprograms: State Appliance Standards and local National Codes and Standards subprograms. Do we assume that National Codes and Standards will be led by PG&E.
 - Does OP-22 pertain to National Codes and Standards.

see above.

-
-
- Joint Memorandum of Cooperation with BayREN (Other RENS?)
- Level of coordination with SCG (OP-53)
 - Need clear guidance from policy team.

Thank you.

Pat

Pat Eilert / Manager / Codes and Standards Program
Pacific Gas and Electric Company
Desk: 530-757-5261
Cell: 530-400-6825

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<http://www.pge.com/en/about/company/privacy/customer/index.page>

Tyler & Associates
510-326-7493

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<http://www.pge.com/en/about/company/privacy/customer/index.page>

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PACIFIC GAS AND ELECTRIC COMPANY
Energy Efficiency 2015 Beyond Rolling Portfolios
R.13-11-005
Data Response

PG&E Data Request No.	ORA_027_Q01-Q02		
PG&E File Name:	EnergyEfficiency2015-BeyondRollingPortfolios_DR_ORA_027_Q01-Q02		
Request Date:	June 29, 2018	Requester DR No.:	DR-014
Date Sent:	July 23, 2018	Requesting Party:	ORA
PG&E Witness:	Mary Anderson	Requester:	Henry Burton

SUBJECT: DATA REQUEST No. ORA-HB-PGE-2018-014. PG&E No. ORA_027.

Please provide the following information about contacts between PG&E and the Southern California Gas Company (SoCalGas) – including any of SoCalGas’ personnel, representatives, attorneys, agents, and consultants – that pertained to energy efficiency codes and standards (EECS) advocacy.

QUESTION 1

Please provide any written or electronic correspondence with SoCalGas regarding EECS advocacy that was sent or received on or after June 1, 2018.

ANSWER 1

See EnergyEfficiency2015-BeyondRollingPortfolios_DR_ORA_027_Q01-Q02Atch01 for the emails sent or received on or after June 1, 2018 between PG&E or our consultants and SoCalGas.

QUESTION 2

Please provide information about any phone conversations or in-person meetings that included SoCalGas *and* were related to EECS advocacy *and* occurred on or after June 1, 2018.

- a. Date and time
- b. Names and titles of all people involved
- c. Subject matter and purpose of the meeting

ANSWER 2

See EnergyEfficiency2015-BeyondRollingPortfolios_DR_ORA_027_Q01-Q02Atch02 for a list of meetings and calls that occurred on or after June 1, 2018. Note that for each meeting, PG&E provides a list of all invitees, but does not have a record of actual attendance. Certain invitees may not have attended.

EnergyEfficiency2015-BeyondRollingPortfolios_DR_ORA_027_Q01-Q02Atch01

Communication Type	Date	Time	Names and Titles of PG&E Staff	Names and Titles of SCG Staff	Names and Titles of Other Staff	Subject Matter and Purpose of Meeting	Length of Call	Additional Correspondence Related to Call/Text
Phone Call	6/22/2018	4:00 PM	Tessa Carlberg	Elliott Henry		Natural gas cooktop test procedure comments	5 min.	A follow up email was included in the original data request response. Please refer to Bates #00103 within the original response file "EnergyEfficiency2015-BeyondRollingPortfolios_DR_ORA_027_Q01-Q02Atch01".
Conference Call	6/26/2018	9:30am	Fong Wan (Sr. VP), David Lewis (Director), Mark Krausse (Director), Dan Halperin (Chief) Optional: Jan Berman (Sr. Director), Travis Kiyota (VP), Robert Kenney (VP), Todd Strauss (Sr. Director), Christine Cowsert (Sr. Director), Valerie Winn (Chief), Sid Dietz (Director), Matt Plummer (Principal)	George Minter, Yuri Freedman, Deanna Haines, Allison Smith, Tanya Peacock, Kent Kauss, Tim Carmichael Optional: Dan Skopec, Sharon Tomkins		To exchange information on recent studies of interest to gas utilities. One agenda item was listed as "Building Decarbonization Activities through 2019" and contained sub-bullets: <ul style="list-style-type: none"> Codes and Standards Local reach codes and CCA activity SoCalGas participants reviewed the limitations on their participation in codes & standards advocacy. PG&E participants reviewed the status of two recent REACH codes developed by the counties of Marin and Alameda.	50 min.	"Building Decarbonization Activities through 2019" was one topic of a larger 3 hour meeting. Refer to attachment "ORA 027_Supp_Atch02" for the email that references the meeting agenda, and attachment "ORA 027_Supp_Atch03" for the meeting agenda itself.
Phone Call	6/28/2018	3:00pm	David Poster (Director)	Dan Rendler (Director)		Discuss PG&E's and SCG's roles	5 min.	None

PACIFIC GAS AND ELECTRIC COMPANY
Energy Efficiency 2015 Beyond Rolling Portfolios
R.13-11-005
Data Response

PG&E Data Request No.	ORA_027_Q01-Q02 – Follow-up 01		
PG&E File Name:	EnergyEfficiency2015-BeyondRollingPortfolios_DR_ORA_027_Q01-Q02_Follow-up01		
Request Date:	August 6, 2018	Requester DR No.:	DR-014 (Follow-up01)
Date Sent:	August 21, 2018	Requesting Party:	ORA
PG&E Witness:	Moses Gastelum	Requester:	Henry Burton

Data Response to a follow-up data request.

QUESTION 1

Thanks for your well-organized response (attached) to my data request about codes and standards correspondence. I noticed that you mentioned a text message exchange between Chris and Erin Brooks. Is there anything of note in those text messages?

ANSWER 1

The text message exchange between Chris Kato and Erin Brooks clarified that PG&E would continue to administer the C&S program and confirmed that SoCalGas was disengaging from advocacy.

QUESTION 2

Also, you listed phone calls at the legal and management levels. Could you tell me how long those phone calls were? Is there any correspondence surrounding those two calls (scheduling or follow-up)? How long was the conference call on June 26th about building decarbonization activities?

ANSWER 2

For the aforementioned phone calls, PG&E has added information on the length of the calls and additional related correspondence within the attached file "ORA_027_Supp_Atch01" in columns H and I.